$~
19
* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ FAO 161/2002

UNION OF INDIA ..... Appellant
Through: Kumar Rajesh Singh, Adv.

versus

PARMANAND MALHOTRA ..... Respondent
Through: Mr. Ashish Pratap Singh, Adv.

CORAM:
HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

O R D E R
% **19.07.2010**

CM 12324/2010 (Exemption)

Allowed subject to all just exceptions.

The application is disposed of.

CM 12323/2010

This is an application on behalf of the appellant seeking permission to withdraw the decretal amount of Rs.2,16,460/- deposited by the appellant in compliance to the order of this Court dated the 20th August, 2002.

Notice.

Counsel appears on behalf of the LRs of deceased/respondent and does not oppose the application.

The appellant preferred the present appeal against the judgment and final order dated 12th December, 2001 whereby the Railway Claims

Signature Not Verified
Digitally Signed By:AMULYA
Certify that the digital file and physical file have been compared and the digital data is as per the physical file and no page is missing.

Tribunal was pleased to allow the claim petition of the deceased/respondent.

This Court was pleased to stay the execution of the decree subject to the appellant depositing the entire decretal amount vide order dated 20th August, 2002. In compliance to the order of this Court dated the 20th August, 2002 the appellant had deposited the decretal amount of Rs.2,16,460/- vide cheque bearing No.017272 dated 22nd October, 2002.

On 11th April, 2005 this Court passed an order that since no steps had been taken by the appellant to bring the legal heirs of the deceased/respondent on record, the appeal thereby stood abated.

The legal heirs of the respondent filed a miscellaneous application for payment of the decretal amount with interest @ 12% before the Railway Claims Tribunal. The Railway Claims Tribunal directed the appellant to pay the amount of compensation within four weeks to the legal representatives of the deceased/respondent herein vide order dated 20th April, 2010.

It is an admitted position that the legal representatives of the deceased/respondent shall receive the amount ordered to be disbursed by the Railway Claims Tribunal, vide order dated 20th April, 2010 pursuant to the order permitting withdrawal of the decretal amount deposited before this Court.

In the circumstances, the Registry is directed to permit the appellant herein to withdraw the decretal amount of Rs.2,16,460/-

27

deposited by the appellant herein in compliance of the order of this Court dated 20th August, 2010.

With the above directions, the application is disposed of.

SIDDHARTH MRIDUL, J

JULY 19, 2010
dn

— (fresh CM 19494/10 for Direction) to issue fresh cheque